

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:15-CR-334-3BO

UNITED STATES OF AMERICA :
 :
 v. :
 :
 MARK TONY EVANS :

FILED IN OPEN COURT

ON

5/31/2017 *CD*
Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NC

PRELIMINARY ORDER AND JUDGMENT OF FORFEITURE

WHEREAS, pursuant to the entry of a Memorandum of Plea Agreement entered into by the defendant on May 12, 2016, and the defendant's plea of guilty to Counts Two and Thirty of the Indictment, the following property is hereby forfeitable pursuant to 18 U.S.C. § 982(a)(1):

Personal Property

- 1) Walmart Debit Card # ***4543
- 2) Walmart Debit Card # ***0270
- 3) Walmart Debit Card # ***0247
- 4) Walmart Debit Card # ***0288
- 5) Walmart Debit Card # ***0239
- 6) Walmart Debit Card # ***0638
- 7) Walmart Debit Card # ***2507
- 8) Walmart Debit Card # ***3314
- 9) Walmart Debit Card # ***6814
- 10) Walmart Debit Card # ***0687
- 11) Walmart Debit Card # ***4550
- 12) Walmart Debit Card # ***4048
- 13) Walmart Debit Card # *****2499
- 14) Walmart Debit Card # *****2267
- 15) Walmart Debit Card # *****6160
- 16) Walmart Debit Card # *****9429
- 17) Walmart Debit Card # *****1808

- 18) Apple iPhone (Black in Case)
- 19) Apple iPod Silver with charger
- 20) Garmin Nuvi GPS S/N 2HS513974
- 21) \$404 in Cash
- 22) Black Leather Wallet
- 23) Umarex S&W Airsoft Pistol S/N 13K59292
- 24) Blackberry Cell Phone HEX A000002523B1EF
- 25) Apple iPhone IMEI 358360067588760
- 26) Rayovac USB Battery Device
- 27) Black computer bag
- 28) Sony PS4 S/N MB271136477
- 29) Nikon Coolpix L840 Camera S/N 31009247
- 30) Asus Ultrabook Laptop S/N D5N0CX252503207
- 31) Sony PS3 S/N CG513084580
- 32) Samsung Galaxy S4 Cell Phone
- 33) Apple iPhone FCCID BCG-E2430A
- 34) Apple iPhone IMEI 35879055118870
- 35) Apple iPhone FCCID BCG-E2430A
- 36) Bag of cell phones/parts/sim cards
- 37) Sim Card S/N 89014104276782434589
- 38) Visa Debit Card # ***2481
- 39) Apple All in One Computer S/N C02MV6V1FY0T
- 40) Sony Playstation 4 S/N MB013667764
- 41) Sony Playstation 4 Wireless Adapter S/N 214053000438
- 42) Xbox 360 S/N 230206134548
- 43) Amazon Fire TV CL1130
- 44) Amazon Fire TV CL1130
- 45) Amazon Fire TV CL1130
- 46) Amazon Fire TV CL1130
- 47) Amazon Kindle X43Z60 S/N FCCID YJM-0725
- 48) iPhone FCCID BCG-E2430A
- 49) iPhone IMEI 356985067312266
- 50) Olympus Digital Recorder
- 51) Nuvi 65LM GPS S/N 3DA066805
- 52) HP Compaq 6735S Laptop S/N CNU8452361
- 53) Dell Inspiron Laptop S/N 81Y0SZ1
- 54) HP PhotoSmart Plus AIO Printer S/N 0789355200219-5
- 55) HP PhotoSmart 7520 S/N TH463721K0
- 56) Samsung Cell Phone MEID HEX A0000048A6FEDA
- 57) Samsung Cell Phone MEID HEX A0000048E796DE
- 58) Samsung Cell Phone MEID HEX A00000457039B8
- 59) Samsung Cell Phone MEID HEX A0000044397AF1
- 60) Samsung Cell Phone MEID HEX A000001433ED77

61) Samsung Cell Phone IMEI 011899/00/821926/5
62) Samsung Cell Phone IMEI 352307059393085
63) Samsung Cell Phone IMEI 352307059393721
64) Samsung Cell Phone MEID HEX A00000483A906C
65) Samsung Cell Phone IMEI 359782/04/316644/6
66) Samsung Cell Phone MEID HEX A0000047DB31B9
67) Alcatel Cell Phone IMEI 012908001295716
68) LG Cell Phone IMEI 012908001295716
69) LG Cell Phone MEID HEX A0000034FEA29A
70) Kyocera Cell Phone HEX A0000027FBQC8F1212
71) Kyocera Cell Phone HEX A0000027FB85D71301
72) Kyocera Cell Phone MEID A0000041A43418
73) Samsung Galaxy S III Cell Phone HEX 99000335158642
74) Samsung Galaxy S III Cell Phone MEID A0000048A5C8A5
75) PNY 32 GB Thumb Drive Black/White
76) PNY 32 GB Thumb Drive Black/White
77) SanDisk 32GB Thumb Drive black/red
78) GPS Nuvi 50LM S/N 336432103
79) Thumb Drive blue/white/black
80) Samsung Galaxy S III Cell Phone HEX 99000206535926
81) Samsung Blackberry Cell Phone A00000405C1DE0
82) Samsung SGH-S150G Cell Phone S/N R21F110F03N
83) LG Cell Phone S/N 308CYKJ032301
84) Samsung Galaxy S4 Cell Phone IMEI 356420052704277
85) Apple iPhone IMEI 358754050917814
86) AC/DC Power Adapter ZF120A-2402500
87) MasterLock Safe silver/gray
88) MRS606 Cardreader/writer S/N A611051830
89) HP Vision E2 Laptop S/N 5CG3160TX5
90) Black Adidas bag with men's clothing
91) Black backpack with men's clothing
92) Walmart Gift Card # ****4095
93) Vanilla Visa Gift Card # ****2540
94) Vanilla Visa Gift Card # ****8542
95) Amex Gift Card # ****0697
96) Vanilla MasterCard Gift Card # ****8907
97) Vanilla MasterCard Gift Card # ****6944
98) Vanilla MasterCard Gift Card # ****9250
99) Amex Gift Card # ****4703
100) Amex Gift Card # ****4572
101) Vanilla MasterCard Gift Card # ****1918
102) Vanilla MasterCard Gift Card # ****8092
103) Vanilla MasterCard Gift Card # ****5986

104) Vanilla MasterCard Gift Card # ****2484
105) Vanilla MasterCard Gift Card # ****2479
106) Vanilla MasterCard Gift Card # ****1421
107) Vanilla MasterCard Gift Card # ****3581
108) Vanilla MasterCard Gift Card # ****3068
109) Vanilla MasterCard Gift Card # ****0917
110) Vanilla MasterCard Gift Card # ****7325
111) Vanilla MasterCard Gift Card # ****9683
112) Vanilla MasterCard Gift Card # ****3669
113) Royal Sovereign Counterfeit Detector
114) Royal Sovereign Money Counter
115) Royal Paper Shredder
116) \$60 in cash
117) Macy's Gift Card # ****7955.

Money Judgment

\$44,500.00 in U.S. currency, an amount not currently in the possession of or its whereabouts known to the Government.

Accordingly, it is hereby ORDERED, ADJUDGED and DECREED that:

1. That based upon the Memorandum of Plea Agreement as to the defendant, MARK TONY EVANS, and the defendant's plea of guilty to Counts Two and Thirty of the Indictment, the interest of the defendant in the identified property and currency are herewith forfeited to the United States for disposition in accordance with the law, including destruction, subject to the provisions of 21 U.S.C. §§ 853(n)(1) through (7). In addition, JUDGMENT is entered for the amount of the gross proceeds, that is, \$44,500.00, as allowed by Fed. R. Crim. P. 32.2(b)(2)(A). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order

and Judgment is final as to the defendant upon entry.

2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Preliminary Order and Judgment of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(a)(4)(B).

3. With regard to the personal property, pursuant to 21 U.S.C. § 853(n), the United States forthwith shall publish at least once in a newspaper of general circulation notice of the United States' intent to dispose of the property in such a manner as the Secretary of Treasury or the Attorney General may direct, and notice that any person, other than the defendant, having or claiming any legal interest in the subject property must file a petition with the Court within 30 days of the publication of notice or of receipt of actual notice, whichever is earlier.


This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the subject property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in the subject property, and any additional facts supporting the petitioner's claim and the relief sought.

The United States should also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Preliminary Order and Judgment of Forfeiture, as a substitute for published notice as to those persons so notified.

4. That upon adjudication of all third party interests this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n)(6).

5. That any and all forfeited funds shall be deposited by the United States Department of the Treasury and/or the United States Department of Justice as soon as located or recovered into the United States Department of Treasury Assets Forfeiture Fund and/or the United States Department of Justice Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

SO ORDERED. This 31 day of May 2017.


TERRENCE W. BOYLE
United States District Judge